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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,323	11/16/2000	Hatim Y. Amro	16356.559 (DC-02561)	9267

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EXAMINER	
GROSS, KENNETH A	

ART UNIT	PAPER NUMBER
2122	8

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/714,323	AMRO ET AL.	
	Examiner	Art Unit	
	Kenneth A Gross	2122	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 October 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is in response to the amendment filed October 8th, 2003.

2. Claims 1-32 remain rejected under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 2, 8, 10, 11, 17, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590).

In regard to Claim 1, Reha teaches: (c) displaying on a display of the computer system an icon (Figure 4, item 44); (d) selecting the icon (Column 9, lines 53-55); (e) responsive to selection....boot facility (Column 9, lines 55-59 and lines 10-13). Reha teaches downloading and installing by a user on the computer system (Column 1, lines 63-65) a software product, but does not teach (f) providing to the Internet boot facility an ID number identifying the computer system to the internet boot facility, and that the software product is associated with the ID number. Imai, however, does teach providing a computer ID number, and that the ID number identifies products to be downloaded to the client machine (Column 1, lines 57-67 and Column 2, lines 1-7). Reha also does not teach installing, during manufacture, a sufficient software required to render the computer system operational and capable of connection to the internet, and providing

the computer to the user. Imai, however, does teach installing on a computer system during manufacture software capable of making the computer functional (Column 1, lines 31-47), as well as other software requested by the user. Although Imai does not teach making the computer capable of connection to the Internet, it is likely that a computer, when shipped, will have internet software already installed on it, thus making the computer internet-ready. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to display a icon, select the icon, access an internet boot facility, and download and install by a user a software product as taught by Reha, where an ID number is provided to the internet boot facility and the ID number is associated with the software product downloaded as taught by Imai, since this allows customized downloading of software products based on a customer ID, and further teach installing, during manufacture, a sufficient software required to render the computer system operational and capable of connection to the internet, and providing the computer to the user, since receiving a fully working computer on arrival means less set up required for the user, and due to the popularity of the internet, an internet-ready computer is also beneficial. Claims 10, 31, and 32 correspond directly with Claim 1 and are rejected for the same reasons as Claim 1.

For specific rejections of Claims 2, 8, 11, and 17, see the office action mailed on July 8th, 2003.

3. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590) and further in view of Cheng et al. (U.S. Patent Number 6,151,643).

For specific rejections of Claims 4 and 13, see the office action mailed on July 8th, 2003.

4. Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590) and further in view of "Mastering Windows 98" by Robert Cowart (hereinafter Cowert).

For specific rejections of Claims 5 and 14, see the office action mailed on July 8th, 2003.

5. Claims 7 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590) and further in view of "Mastering Windows 98" by Robert Cowart (hereinafter Cowart) and Cheng et al. (U.S. Patent Number 6,151,643).

For specific rejections of Claims 7 and 16, see the office action mailed on July 8th, 2003. .

6. Claims 3, 9, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590) and further in view of Fritsch (U.S. Patent Number 6,247,130).

For specific rejections of Claims 3, 9, 12, and 18, see the office action mailed on July 8th, 2003.

7. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Imai et al (U.S. Patent Number 5,978,590) and further in view of of "Mastering Windows 98" by Robert Cowart (hereinafter Cowart) and Fritsch (U.S. Patent Number 6,247,130).

For specific rejections of Claims 6 and 15, see the office action mailed on July 8th, 2003.

8. Claims 19, 24, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Craig et al. (U.S. Patent Number 6,266,809) and further in view of Imai et al. (U.S. Patent Number 5,978,590).

In regard to Claim 19, Reha teaches the user accessing a website comprising an Internet boot facility (Column 9, lines 53-59 and lines 10-13), and downloading and installing by a user on the computer system (Column 1, lines 63-65), but does not teach that the accessing of the website is done on boot-up of the computer. Criag, however, does teach installing software on start up of a computer system (Column 8, lines 10-14). Neither Reha nor Craig teach "providing...an ID number...to the Internet boot facility" or "downloading...at least one software product...associated with the ID number". Imai, however, does teach providing a computer ID number, and that the ID number identifies products to be downloaded to the client machine (Column 1, lines 57-67 and Column 2, lines 1-7). Furthermore, neither Reha nor Craig teach a manufacturer installing a sufficient software required to render the computer system operational and capable of connection to the internet, and providing the computer system to the user. Imai, however, does teach installing on a computer system during manufacture software capable of making the computer functional (Column 1, lines 31-47), as well as other software requested by the user. Although Imai does not teach making the computer capable of connection to the Internet, it is likely that a computer, when shipped, will have internet software already installed on it, thus making the computer internet-ready. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have a user access a website comprising an internet boot facility as taught by Reha and downloaded and installing a software product by a user, where the accessing is done at start up, as taught by Craig, where an ID number is provided to the internet boot facility and the ID number is associated with the software product downloaded as taught by Imai, since this allows customized downloading of software products based on a customer ID, and furthermore a manufacturer installing a sufficient software

required to render the computer system operational and capable of connection to the internet, and providing the computer system to the user, as taught by Imai, since receiving a fully working computer on arrival means less set up required for the user, and due to the popularity of the internet, an internet-ready computer is also beneficial. Claim 25 corresponds with Claim 19 and is rejected for the same reasons as Claim 19.

For specific rejections of Claims 24 and 30, see the office action mailed on July 8th, 2003.

9. Claims 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Craig et al. (U.S. Patent Number 6,266,809) and further in view of Imai et al (U.S. Patent Number 5,978,590) and Fritsch (U.S. Patent Number 6,247,130).

For specific rejections of Claims 20 and 26, see the office action mailed on July 8th, 2003.

10. Claims 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Craig et al. (U.S. Patent Number 6,266,809) and further in view of Imai et al (U.S. Patent Number 5,978,590) and "Mastering Windows 98" by Robert Cowart (hereinafter Cowart).

For specific rejections of Claims 21 and 27, see the office action mailed on July 8th, 2003.

11. Claims 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Craig et al. (U.S. Patent Number 6,266,809) and further in view of Imai et al (U.S. Patent Number 5,978,590) and "Mastering Windows 98" by Robert Cowart (hereinafter Cowart) and Fritsch (U.S. Patent Number 6,247,130).

For specific rejections of Claims 22 and 28, see the office action mailed on July 8th, 2003.

12. Claims 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al. (U.S. Patent Number 6,282,709) in view of Craig et al. (U.S. Patent Number 6,266,809) and further in view of Imai et al (U.S. Patent Number 5,978,590) and "Mastering Windows 98" by Robert Cowart (hereinafter Cowart) and Cheng et al. (U.S. Patent Number 6,151,643).

For specific rejections of Claims 23 and 29, see the office action mailed on July 8th, 2003.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth A Gross whose telephone number is (703) 305-0542. The examiner can normally be reached on Mon-Fri 7:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on (703) 305-4552. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

KAG

TUAN DAM
SUPERVISORY PATENT EXAMINER